

MAY 2021 ORC HOT ISSUES

ON-GOING CASES/ISSUES:

Air

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- **Nonresponsive based on revised scope**

- **Nonresponsive based on revised scope**

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Nonresponsive based on revised scope

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Water

- **US and PADEP do not concur with Environmental Integrity Project's (EIP) Motion to Intervene in negotiations to amend Partial Consent Decree (PDC) with Capital Region Water (CRW):** EIP contacted DOJ and PADEP regarding the potential filing of a Motion to Intervene in the matter of U.S. v. Capital Regional Water and the City of Harrisburg, where the parties are currently negotiating an amendment to the Partial Consent Decree. On April 28 DOJ advised EIP that it would not concur on their motion to intervene and would not enter into a common interest agreement with EIP which EIP had requested as *quid pro quo* to stay the filing of their motion. The U.S., PADEP, and CRW have been negotiating a list of projects which will be the subject of the

Ex. 5 Deliberative Process (DP)

within that period. By entering into an amended Partial Consent Decree, CRW retains the

requirement to concurrently develop an approvable LTCP with an adaptive management approach. Region 3 has drafted an amended PCD, updating the 6-year old PCD to reflect the work that has been done to date and the forthcoming work. DOJ is reviewing that document; EPA hopes that DOJ can send the draft agreement to CRW within the next few weeks. The US and PADEP

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Waste
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Multimedia

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Nonresponsive based on revised scope

Civil Rights

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Nonresponsive based on revised scope

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FOIA

- Nonresponsive based on revised scope**

RCRA

- Nonresponsive based on revised scope**

FIFRA

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NEW HOT Issues (for Briefing Consideration)

Nonresponsive based on revised scope

PERSONNEL/ORGANIZATION:

Hiring Exp. Water Law Attorney